

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 24, 2018

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Reggie Lee Burdeau Case Number: 0980 2:13CR02104-TOR-1
Address of Offender: [REDACTED] Wapato, Washington 98951
Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, Chief U.S. District Judge
Date of Original Sentence: March 12, 2014
Original Offense: Crime on Indian Reservation - Sexual Abuse, 18 U.S.C. § 1153 and 2242(2)(B)
Original Sentence: Prison - 60 months; Type of Supervision: Supervised Release
TSR - 84 months
Asst. U.S. Attorney: Thomas J. Hanlon Date Supervision Commenced: January 4, 2018
Defense Attorney: Rebecca Pennell Date Supervision Expires: January 3, 2025

PETITIONING THE COURT

To issue a warrant and to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 07/06/2018 and 08/31/2018.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

4 **Special Condition #24:** Defendant shall abstain from the use of illegal controlled substances, and shall submit to testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On or about October 1 and 16, 2018, Mr. Burdeau consumed tetrahydrocannabinol (THC), the active chemical in marijuana.

Mr. Burdeau's conditions were reviewed with him on January 8, 2018. He signed his conditions acknowledging an understanding of his conditions which includes special condition number 24, as noted above.

On October 3, 2018, Mr. Burdeau reported to the United States Probation Office. He admitted to consuming THC on or about October 1, 2018, and signed a drug use admission form. A urinalysis (UA) sample was collected on October 2, 2018, by Mr. Burdeau's counselor at Comprehensive Mental Health (CMH) and was sent to Cordant Health Solutions (Cordant) for verification. On October 22, 2018, the undersigned received the Cordant results from Mr. Burdeau's counselor for the October 2, 2018, UA.

Re: Burdeau, Reggie Lee

October 24, 2018

Page 2

The sample was confirmed positive for THC with a Delta-9-THC level, the metabolite of THC, of 130ng/mL of urine.

On October 17, 2018, Mr. Burdeau reported to the United States Probation Office. He stated he provided a UA sample to his counselor at CMH on October 16, 2018, and that sample was sent to Cordant for verification. The undersigned asked Mr. Burdeau if he had been sober since October 1, 2018; he stated, "yes." On October 22, 2018, the undersigned received the Cordant results from Mr. Burdeau's counselor for the October 16, 2018, UA. The sample was confirmed positive for THC with a Delta-9-THC level, the metabolite of THC, of 726ng/mL of urine. The rise in THC level from the October 2 to the October 16, 2018, sample suggests Mr. Burdeau consumed THC after October 1, 2018.

- 5 **Special Condition #25:** Defendant shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: On or about October 1 and 16, 2018, Mr. Burdeau consumed alcohol.

Mr. Burdeau's conditions were reviewed with him on January 8, 2018. He signed his conditions acknowledging an understanding of his conditions which includes special condition number 25, as noted above.

On October 3, 2018, Mr. Burdeau reported to the United States Probation Office. He admitted to consuming alcohol on or about October 1, 2018, and signed a drug use admission form. A urinalysis (UA) sample was collected on October 2, 2018, by Mr. Burdeau's counselor at Comprehensive Mental Health (CMH) and was sent to Cordant Health Solutions (Cordant) for verification. On October 22, 2018, the undersigned received the Cordant results from Mr. Burdeau's counselor for the October 2, 2018, UA. The sample was confirmed positive for alcohol with an ethyl glucuronide level, a metabolite of ethanol, of 3059ng/mL of urine and with an ethyl sulfate level, a metabolite of ethanol, of 1647ng/mL of urine.

On October 17, 2018, Mr. Burdeau reported to the United States Probation Office. He stated he provided a UA sample to his counselor at CMH on October 16, 2018, and that sample was sent to Cordant for verification. The undersigned asked Mr. Burdeau if he had been sober since October 1, 2018; he stated, "yes." On October 22, 2018, the undersigned received the Cordant results from Mr. Burdeau's counselor for the October 16, 2018, UA. The sample was confirmed positive for alcohol with an ethyl glucuronide level, a metabolite of ethanol, of 2951ng/mL of urine and with an ethyl sulfate level, a metabolite of ethanol, of 1484ng/mL of urine. The positive alcohol results from the October 16, 2018, sample suggests Mr. Burdeau had consumed alcohol after October 1, 2018.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court, and that the Court issue a warrant.

Re: Burdeau, Reggie Lee

October 24, 2018

Page 3

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 24, 2018

s/Jonathan Barcom

Jonathan Barcom
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

October 24, 2018

Date